

Beaver County
Beaver, UT 84713
May 7, 2007

The Board of County Commissioners met on May 7, 2007 at 10:00 a.m. for its regularly scheduled meeting. Those present were Donald J. Willden, Chairman; William L. Dalton, Member; Chad W. Johnson, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor.

Minutes of the April 2, 12, 16 & 30, 2007 meetings were read. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously passed to approve the minutes.

It was moved by Comm. Johnson and seconded by Comm. Dalton to close the meeting to discuss pending litigation. All voted in favor of the motion. The meeting was closed at 10:45 a.m. Those present were members of the Board, Atty. Christiansen, Mr. Harris and Mr. Barton. It was moved by Comm. Johnson and seconded by Comm. Dalton to move back into open session at 11:00 a.m.. All voted in favor of the motion.

It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to authorize Atty. Christiansen to hire outside counsel to represent the County in pending lawsuits re: the Mt. Holly Club Development Agreement.

LeeAnn Dalton, County Treasurer, met with the Board to review a list of centrally assessed taxpayers. The proposed value in the county will decrease approximately \$4.8 million. Comm. Johnson will contact Bill Peters, Utah Assoc. of Counties attorney to discuss the matter.

Also, Mrs. Dalton requested authorization to close a seizure account and move the funds to the county's general trust account. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to close the account.

The Board discussed procedures for procuring a consultant for County General Plan and Zoning Ordinance revisions. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to send out a request for proposal to hire a consultant to begin the process of general plan, zoning ordinance, transportation plan and moderate or low income housing issues and ordinances.

Atty. Christiansen discussed a list of property that is un-retrieved evidence. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to declare the property public use and be given to the custody of the Beaver County Sheriff.

An appeal of Petitioner/Appellant Save Beaver County, the Beaver River and varied Estates (BRAVE) of County Public Hearing, the Mt. Holly CPB Development Agreement and amended county ordinances was reviewed. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to take the following action: Regarding the appeal of the development agreement, we hereby acknowledge that you have exhausted your administrative remedies. As you

are aware, the County Commission cannot hear an appeal of its own decision. Likewise, there is no Board of Adjustment in existence in Beaver County. Moreover, even if there were a Board of Adjustment it appears that it could not hear the appeal because it lacks authority to grant the relief requested. By ordinance, the Board of Adjustment cannot hear challenges to the enactment of an ordinance; rather, it may only hear appeals from (1) decisions applying the zoning ordinance, (2) special exemptions to the terms of the zoning ordinance, (3) variances from the terms of the zoning ordinance, and (4) determinations of non conforming buildings and uses. For that reason, the appeal of the Development Agreement was in effect summarily denied on the basis of a lack of jurisdiction.

It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to award Minersville Lake Fun Tag passes to all active county firefighters, EMTs, and Search & Rescue members. The organizations will need to submit a list of eligible members for consideration.

It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to ratify the following new hires:

Michael Berg	School Resource Officer
Luke Tobey	Corrections Officer
Kelly Davis	Corrections Officer
Rosalie Williams	Registered Nurse
LeAnn Paice	Licensed Practical Nurse
Beth Beutler	Licensed Practical Nurse
Melleny Low	Dispatcher
Jill Woolsey	Life Skills Teacher
Tammy Blackner	Custodian
Candy Hunt	Assistant Cook
Wilna Swain	Assistant Cook
Pam McMullin	C.O.A. Coordinator
Steven Judd	Weeds/Road Maintenance
John A. Smith	Road Maintenance
Jeff McKinney	Deputy Sheriff

Todd Bingham and John Keeler from the Utah Farm Bureau, and David Roberts, Bret Bradshaw, and Mark Nelson from the local Farm Bureau met with the Board to discuss bills that went through the State Legislature that affect agriculture and rural Utah.

Bryce Gale met with the Board to discuss maintenance of roads in the Mineral Mountain Subdivision. After discussion, it was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to do some maintenance on the roads at a cost to be determined by the Road Supervisor and the property owners.

Kathy Flanigan, Mari Kesler and Sandi Collings met with the Board to request funding for panels at the arenas in Milford, Minersville and Beaver. The total project would cost approximately \$6,000.00. The matter was tabled to the May 21, 2007 work meeting.

Dee Dee Rose, from Congressman Chris Cannon's office, met with the Board. Ms. Rose

discussed issues related to mining, Mt. Holly Club, immigration, etc.

Lieutenant Raymond Goodwin, Beaver County Sheriff's office, and Val Smith and Jerry Brown, Search & Rescue, met with the Board to discuss disposal of several vehicles. The Search & Rescue has three vehicles that need to be sold and need reliable vehicles to replace them. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to dispose of the vehicles and replace them with surplus sheriff's vehicles.

They also discussed problems with the roof of the Old Jail. After discussion, it was the consensus of the Board to have the contractor on the Historic Courthouse look at the roof for the best solution.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned.

APPROVED

Chairman

Clerk/Auditor

Beaver County
Beaver, UT 84713
May 21, 2007

The Board of County Commissioners met on May 21, 2007 at 10:00 a.m. for its regularly scheduled work meeting. Those present were Donald L. Willden, Chairman; William L. Dalton, Member; Chad W. Johnson, Member; Bryan L. Harris, Commission Assistant; Von J. Christiansen, Attorney; and Paul B. Barton, Clerk/Auditor.

Melissa Kanell met with the Board to request a donation for students to attend the National History Fair at the University of Maryland. Also present were Rachel Kanell, Korbin Oakden, Kiera Oakden, Rebecca Kanell. It was moved by Comm. Johnson and seconded by Comm. Dalton to donate \$1,600.00 on the condition that the participants work at the County Fair in exchange for the donation and sign a waiver prepared by the County Attorney. Comm. Johnson and Comm. Dalton voted in favor of the motion. Comm. Willden voted against the motion stating that he supports the project, but this is a School District obligation and should be paid, at least in part, by the District.

Kathy Flanigan and Brent Stapley met with the Board to discuss the purchase of panels at the Beaver Arena for the use of the 4-H Horse Council. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to donate the balance of funds for the project after

adding up any private donations.

Mr. Stapley discussed the need for new Travel Council members. There is a need to appoint three (3) new members. Mr. Stapley will try to recruit new members.

A license agreement with the Harris-Willis Irrigation Company was discussed. The matter was tabled until later in the meeting.

Ron Wilson and Mike Melton, from State Division of Forestry, Fire & State Lands, met with the Board to discuss the budget appropriation for 2007. The main question is whether the County needs or can afford to pay for a full-time fire warden. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to sign the agreement including a part-time fire warden. The Board will explore adding inspection fees for fire in the affected areas and will revisit the issue in the 2008 budget.

Dr. David Blodgett and Rod Coslett, from Southwest Health, and Craig Davis, County Building Inspector, met with the Board to discuss a request to establish a drinking water source protection ordinance. The matter was referred to the Planning Commission to begin the process of adoption of the ordinance. A sample ordinance was given to the Board as a starting point.

Dr. Blodgett discussed funding issues for the Health District. The District will be proposing a statewide property tax levy for public health. No action was taken.

Comm. Dalton discussed an issue with Sheriff Cameron Noel on illegal dumping. The matter was referred to Service District #5 for action.

Sheriff Noel discussed an incident involving a tow bill. Because of special circumstances, there was a mistake made by a county employee necessitating a tow bill in the amount of \$450.00. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to authorize the payment of the bill.

Jonathan Ward, from Zions Bank Public Finance, met with the Board to discuss the adoption of Resolution No. 2007-06 - A Resolution Authorizing the Administrative Control Board of the Milford Area Health Care Service District No. 3, Utah to Provide for a Special Election to be held on June 26, 2007, for the Purpose of Submitting to the Qualified Electors of the District the Questions of (I) the Issuance of not to exceed \$8,000,000 General Obligation Bonds of the District and (II) an Increase in the Tax Levy Rate Authorization; and related matters. Also present for the discussion were April McKeon, Dennis Miller, Leo Kanell and Craig Davidson. After Mr. Ward explained the resolution, it was moved by Comm. Johnson and seconded by Comm. Dalton to adopt the resolution. All voted in favor of the motion.

Mr. Ward reviewed the calendar of events re: the upcoming election with key dates. No action was taken.

Comm. Dalton was excused from the meeting at the noon recess.

Shelly Tusher from UPC Wind met with the Board to discuss the way wind energy projects are taxed throughout the country. Tom Peters, legal counsel representing Utah Association of Counties on taxation issues, and Todd Christensen from the BLM were also present. The discussion centered on the method of valuing the project for property tax. UPC is petitioning the State Tax Commission to change the rule on valuing their project. The County cannot take a position in support of UPC's petition to change the way the project is valued. The County is supportive of the project. A meeting will be set for June 7, 2007 for Millard and Beaver County officials to tour the site and ask questions.

The Harris-Willis license agreement was discussed again. Paragraph 1.5 on page 2 of the agreement was discussed. Mr. Kanell was present for the discussion. Carol McCulley was present and participated in the discussion. It was moved by Comm. Johnson to sign the agreement based on the recommendation of Mr. Kanell. The chair was passed to Comm. Johnson and Comm. Willden seconded the motion. The chair was passed back to Comm. Willden. All voted in favor of the motion.

The Beaver County Land Bill was discussed. Randy Johnson, county consultant on the planning bill, will be invited to the next meeting.

Mr. Kanell discussed amending the animal control ordinance re: how to deal with aggressive animals among other things. The proposed ordinance will be sent to the cities for their review.

A list of surplus vehicles was submitted to the Board for declaration as surplus property. It was moved by Comm. Johnson to declare the vehicles surplus property and sell at public auction on June 8, 2007. The chair was passed to Comm. Johnson and Comm. Willden seconded the motion. Comm. The chair was passed back to Comm. Willden. All voted in favor of the motion.

2006 Dodge Ram Pickup	Vin #7017
2006 Dodge Ram Pickup	7016
2006 Dodge Ram Pickup	7014
2006 Dodge Ram Pickup	7012
2006 Dodge Ram Pickup	7013
2006 Dodge Ram Pickup	5352
2004 Chevrolet Silverado Pickup	4933
2001 Chevrolet Impala	8585
2002 Chevrolet Impala	9718
1954 Willys Jeep	69913
1989 Chevrolet 1500 Blazer	6583
1992 Dodge Ram Charger	2053
1991 Mazda Mini Van	8451
1988 Blue Ford Truck	8989

The sale shall also include vehicles that have been seized or abandoned and previously declared public use property. There are approximately 4 other vehicles.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor
